

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

IGAS HOLDINGS, INC., et al.,)
)
)
Petitioners,) Case No. 23-1261
) (with No. 23-1263)
v.)
)
U.S. ENVIRONMENTAL)
PROTECTION AGENCY, et al.,)
)
)
Respondents.)

**PETITIONERS' NON-BINDING
STATEMENT OF ISSUES TO BE RAISED**

Petitioners IGas Holdings, Inc.; IGas USA, Inc.; BMP USA, Inc.; BMP International Inc.; L.M. Supply, Inc.; Cool Master U.S.A., LLC; Assured Comfort A/C, Inc.; Scales N Stuff, Inc.; Golden G Imports LLC; RAMJ Enterprises Inc.; and JPRP International, Inc. state their intent to raise this issue in the briefing on the merits of its petition for review. In stating this issue, Petitioners reserve the right to raise any and all issues, regardless of whether they are listed below.

1. Whether the Environmental Protection Agency's final rule concerning "Phasedown of Hydrofluorocarbons: Allowance Allocation Methodology for 2024 and Later Years," 88 Fed. Reg. 46,836 (July 20, 2023) is arbitrary and capricious because EPA failed to give adequate

reasons for excluding 2020 and/or 2021 production and consumption activity data from the methodology for allocating hydrofluorocarbon production and consumption allowances for calendar years 2024 through 2028.

Dated: October 13, 2023

Respectfully submitted,

/s/ JoAnn T. Sandifer

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CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2023, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the D.C. Circuit by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

/s/ JoAnn T. Sandifer